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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/585,866	09/12/2006	Henri Seydoux	677-38	7751
23117 7590 04/14/2010 NIXON & VANDERHYE, PC 901 NORTH GLEBE ROAD, 11TH FLOOR ARLINGTON, VA 22203				
EXAMINER				
BONSHOCK, DENNIS G				
ART UNIT		PAPER NUMBER		
2173				
MAIL DATE		DELIVERY MODE		
04/14/2010		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/585,866

Applicant(s)

SEYDOUX, HENRI

Examiner

DENNIS G. BONSHOCK

Art Unit

2173

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 December 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/CD)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

FINAL ACTION

Response to Amendment

It is hereby acknowledged that the following papers have been received and placed on record in the file: Amendment as received on 12-9-2009.

Claims 1-8 have been examined.

Status of Claims:

1. Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Potter, Patent Number: 5,555,172, Zeinstra, Patent Number: 4,827,520, and Weimper et al., Publication Number: 2003/0074112, hereinafter Weimper.

Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Potter, Patent Number: 5,555,172, and Zeinstra, Patent Number: 4,827,520.

Filing Date Correction

As per request, the filing date has been corrected to 9/12/2006.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

3. A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Potter, Patent Number: 5,555,172, Zeinstra, Patent Number: 4,827,520, and Weimper et al., Publication Number: 2003/0074112, hereinafter Weimper.

5. With regard to claim 1, which teaches a device forming an interface for finding and selecting an option in a hierarchical directory, in particular for searching for and selecting a number in a directory of a mobile telephone on board a vehicle, Potter teaches, in column 3, lines 14-41 and column 4, lines 1-20 and figure , a device, located within a vehicle, for providing an interface for selecting an option from a hierarchically arranged directory of phone contacts. With regard to claim 1, which teaches the device comprising: a data memory containing a plurality of said options ordered as a sequential list; Potter teaches, in column 10, lines 51-56 and column 5, lines 3-10, memory for storing a plurality of options in a sequential list. With regard to claim 1, which teaches a pointer for selecting one of the options of the list; Potter teaches, in column 3, lines 27-31, a cursor for selection options from the list. With regard to claim 1, which teaches selector means suitable for incrementing or decrementing the pointer in response to controlled manipulation by the user; Potter teaches, in column 10, lines 10-56, a rotary switch control knob for incrementing or decrementing the cursor in response to user input. With regard to claim 1, which teaches processor means suitable for executing a set of predetermined actions as a function of the options in the data memory; Potter teaches, in column 10, lines 13-21 and column 4, line 50 through column 5, line 10, a processor for executing a set of action as functions of the options. With regard to claim

1, which teaches the device being characterized in that it further comprises: acoustic means suitable for sending to the user an audible message constituting a voiced representation of the option selected by the pointer in response to said pointer being incremented or decremented; Potter teaches, in column 10, lines 10-56, providing the user with a confirmation of elements selected. With regard to claim 1, which teaches confirmation means that can be manipulated by the user, suitable for reading the option selected by the pointer and transferring said option to the processor means for executing the corresponding action; Potter teaches, in column 10, lines 10-56 and column 4, line 50 through column 5, line 10, a rotary switch control knob for incrementing or decrementing the cursor in response to user input in order to select an option for processing and a processor for executing a set of action as functions of the options. With regard to claim 1, which teaches that said selector means comprise a two-directional rotary knob that can be manipulated by the user, said confirmation means comprising a transient contact that can be actuated by pressing on said rotary knob, Potter teaches, in column 10, lines 10-56, a rotary switch control knob for incrementing or decrementing the cursor in response to user input and an enter button for selecting the element the cursor is over.

6. Potter teaches providing confirming UI to the user selection (supra), but doesn't specifically teach acoustic means suitable for sending to the user an audible message constituting a voiced representation of the option selected by the pointer. Zeinstra teaches a system in a vehicle for selecting phone listings (see abstract), similar to that of Potter, but further teaches providing the user acoustic messages constituting an

option selected by the user (see column 7, lines 16-35 and column 14, lines 8-18). It would have been obvious to one of ordinary skill in the art, having the teachings of Potter and Zeinstra before him at the time the invention was made to modify vehicular telecommunication system control of Potter to include the verbal confirmation as did Zeinstra. One would have been motivated to make such a combination because this allows for a intuitive / hands free method for the user to confirm selection without taking their eyes off the road. Zeinstra is further referenced in the background section of Potter.

7. Potter and Zeinstra teach a means for selecting and element from the directory (supra), but don't specifically teach the selection being made from actuating by pressing the rotary knob. Weimper teaches an in car computing system for telephone usages comprising a rotary switch (see paragraphs 1 and 34), but further teaches the selection means being located on the rotary switch (see paragraph 38). It would have been obvious to one of ordinary skill in the art, having the teachings of Potter, Zeinstra, and Weimper before him at the time the invention was made to modify the control systems of Potter and Zeinstra to include the use of the pressing the rotary switch for selection, as did Weimper. One would have been motivated to make such a combination because this allows for better management of space encompassing selection within the rotary switch.

8. With regard to claim 2, which teaches further comprising display means for displaying the option selected by the pointer, Potter teaches, in column 3, lines 26-31, a display means for displaying the option selected.

9. With regard to claim 3, which teaches in which the display means also display at least one of the preceding and/or following options in the list, Potter teaches, in column 10, lines 10-54 and figure 12, displaying previous and following options in the list.

10. With regard to claim 4, which teaches in which: said options contain names; a telephone number is associated with each option; and the action executed by the processor means is i0 dialing the corresponding telephone number, Potter teaches, in column 10, lines 10-54, options including names, and associated telephone numbers, where the action is dialing the number.

11. With regard to claim 5, which teaches in which: said options contain letters of the alphabet; and the action executed by the processor means is positioning the pointer on the first name beginning by the selected letter, Potter teaches, in column 10, lines 10-54, options including letters, where the action is locating a name associated with the textual entry.

12. With regard to claim 6, which teaches in which: said options contain command menu titles, or the titles of lower-level menus; and the action executed by the processor means is to execute the corresponding command or to select the corresponding lower-level menu, Potter teaches, in column 10, lines 10-54, options including menu options for traversing to lower level menus.

Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Potter, Patent Number: 5,555,172, and Zeinstra, Patent Number: 4,827,520.

13. With regard to claim 7, which teaches a device for providing a user an audible indication of a chosen option, said device comprising: a data memory storing a plurality of options; a pointer manipulated by said user to indicate one of said options; an acoustic transducer, responsive to the indication of one of said options, providing a voiced representation of the indicated option; and a user activated switch for implementing said indicated option; Potter teaches, in column 3, lines 14-41 and column 4, lines 1-20 and figure 1, a device, located within a vehicle, for providing an interface for selecting an option from a hierarchically arranged directory of phone contacts. Potter teaches, in column 10, lines 51-56 and column 5, lines 3-10, memory for storing a plurality of options in a sequential list. Potter teaches, in column 3, lines 27-31, a cursor for selection options from the list. ; Potter teaches, in column 10, lines 10-56, a rotary switch control knob for incrementing or decrementing the cursor in response to user input. Potter teaches, in column 10, lines 13-21 and column 4, line 50 through column 5, line 10, a processor for executing a set of action as functions of the options. Potter teaches, in column 10, lines 10-56, providing the user with a confirmation of elements selected.

14. Potter teaches providing confirming UI to the user selection (supra), but doesn't specifically teach an acoustic transducer, responsive to the indication of one of said options, providing a voiced representation of the indicated option. Zeinstra teaches a system in a vehicle for selecting phone listings (see abstract), similar to that of Potter, but further teaches providing the user acoustic messages constituting an option selected by the user (see column 7, lines 16-35 and column 14, lines 8-18). It would

have been obvious to one of ordinary skill in the art, having the teachings of Potter and Zeinstra before him at the time the invention was made to modify vehicular telecommunication system control of Potter to include the verbal confirmation as did Zeinstra. One would have been motivated to make such a combination because this allows for a intuitive / hands free method for the user to confirm selection without taking their eyes off the road. Zeinstra is further referenced in the background section of Potter.

15. With regard to claim 8, which teaches a method of providing a user an audible indication of a chosen option among a plurality of options stored in a data memory, said method comprising the steps of: said user manipulating a pointer to indicate one of said plurality of options; providing said user with a voiced representation of each indicated option; and said user selecting, based upon said voiced representation of a chosen option, said chosen option with an electronic input; Potter teaches, in column 3, lines 14-41 and column 4, lines 1-20 and figure , a device, located within a vehicle, for providing an interface for selecting an option from a hierarchically arranged directory of phone contacts. Potter teaches, in column 10, lines 51-56 and column 5, lines 3-10, memory for storing a plurality of options in a sequential list. Potter teaches, in column 3, lines 27-31, a cursor for selection options from the list. ; Potter teaches, in column 10, lines 10-56, a rotary switch control knob for incrementing or decrementing the cursor in response to user input. Potter teaches, in column 10, lines 13-21 and column 4, line 50 through column 5, line 10, a processor for executing a set of action as functions of the

options. Potter teaches, in column 10, lines 10-56, providing the user with a confirmation of elements selected.

16. Potter teaches providing confirming UI to the user selection (*supra*), but doesn't specifically teach an acoustic transducer, responsive to the indication of one of said options, providing a voiced representation of the indicated option. Zeinstra teaches a system in a vehicle for selecting phone listings (see abstract), similar to that of Potter, but further teaches providing the user acoustic messages constituting an option selected by the user (see column 7, lines 16-35 and column 14, lines 8-18). It would have been obvious to one of ordinary skill in the art, having the teachings of Potter and Zeinstra before him at the time the invention was made to modify vehicular telecommunication system control of Potter to include the verbal confirmation as did Zeinstra. One would have been motivated to make such a combination because this allows for a intuitive / hands free method for the user to confirm selection without taking their eyes off the road. Zeinstra is further referenced in the background section of Potter.

Response to Arguments

The arguments filed on 12-9-2009 have been fully considered but they are not persuasive. Reasons set forth below.

The Applicant argues that the references don't teach "acoustic means for sending to the user a audible message comprising a voice representation of the option selected by the pointer in response to said pointer being incremented or decremented".

In response, the Examiner respectfully submits that Potter teaches, in column 3, lines 27-31, a cursor for selection options from the list, via a rotary switch control knob for incrementing or decrementing the cursor in response to user input (see column 10, lines 10-56). Potter is further supplemented by a reference referenced in its background section as related art, Zeinstra. Zeinstra further teaches (as admitted by the Applicant on page 12 of the response) a audible prompt confirming the option currently selected (see column 12, lines 8-14).

The Applicant argues the combination.

In response, the Examiner respectfully submits that in addition to the systems being in analogous art and the voice confirmation of Zeistra being an obvious addition to Potter to confirm selections, Potter references Zeistra in its background section as related art.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DENNIS G. BONSHOCK whose telephone number is (571)272-4047. The examiner can normally be reached on Monday - Friday, 5:30 a.m. - 3:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kieu Vu can be reached on (571) 272-4057. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Dennis G. Bonshock/
Primary Examiner, Art Unit 2173
4-8-2010
dgb